



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 09.03.2006

Coram:

The Honourable Mr. Justice P.SATHASIVAM
and

The Honourable Mr. Justice J.A.K.SAMPATHKUMAR

T.C. (A) No.11 of 2006

M/s.Moulana & Co Ltd
169, Angappan Naicken Street,
Chennai-600 001.

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Appellant

:versus:

The Joint Commissioner
of Income tax,
Special Range-I, Chennai.

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Respondent

- - - - -

Appeal under Sec.260A of the Income Tax Act, 1961 against the order of the Income Tax Appellate Tribunal, 'A' Bench, Chennai, dated 31.08.2005, in ITA No.1574/Mds/99 Assessment Year 1996-97 against the order dated 3.8.1999 in IT/WT/GT/Appeal No.230/98-99 on the file of the Commissioner of Income Tax (Appeals)-V, Chennai-34 in PAN.No.AAACM-2622 B for the assessment year 1996-97.

For Appellant :: Mr.Subbaraya Aiyar

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JUDGMENT

(Judgment of the Court was delivered by P.SATHASIVAM, J.)

It is not in dispute that the amount of debt had not been taken into account while computing the income of the assessee for the previous year. In such circumstances, in view of Section 36(2) (i) of the Income Tax Act, the claim of bad debt cannot be allowed. The Commissioner as well as the Appellate Tribunal considered this aspect and rightly rejected the claim of the assessee. We do not



find any substantial question of law for entertaining this Appeal.
Accordingly, the same is dismissed.

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09.03.2006.

JI.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

1. THE ASST. REGISTRAR,
INCOME TAX APPELLATE TRIBUNAL
A-BENCH, BESANT NAGAR
CHENNAI-90

2. THE SECRETARY
CENTRAL BOARD AT DIRECT TAXES
NEW DELHI.

3. THE COMMISSIONER OF
INCOME TAX
(APPEALS) V,
CHENNAI-34.

4. THE JOINT COMMISSIONER OF
INCOME TAX, SPECIAL RANGE-I, CHENNAI

tm (co)

dv/17.3.06

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